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L	APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	₹.	ATTORNEY DOCKET NO.
	09/615,43	37 07/13/	00 KIM	, C	CKIM 3.0-00
	000530		 HM12/0829]	EXAMINER
	KRUMHOLZ	AVID, LITT & MENTLIK 1 AVENUE WE	·	ART UNI	T PAPER NUMBER
		NJ 07090	5 1	1 6 DATE MAILE	.4.4 ED:
					08/29/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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,	Application No.	Applicant(s)				
Advisory Action	09/615,437	KIM, CHRISTOPHER M.				
,	Examiner	Art Unit				
	" Neon" Phuong Huynh	1644				
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence address				
THE REPLY FILED 8/10/01 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.						
PERIOD FOR REPLY [check either a) or b)]						
 a) The period for reply expiresmonths from the mailing b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f). 	Advisory Action, or (2) the date set forth ater than SIX MONTHS from the mailing	g date of the final rejection.				
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.						
2. The proposed amendment(s) will not be entered because:						
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);						
(b) ☐ they raise the issue of new matter (see Note below);						
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or						
(d) they present additional claims without canceling a corresponding number of finally rejected claims. NOTE:						
3. Applicant's reply has overcome the following rejection(s):						
4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).						
5. The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.						
6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.						
7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.						
The status of the claim(s) is (or will be) as follows:						
Claim(s) allowed: None.						
Claim(s) objected to: <i>None</i> .						
Claim(s) rejected: 11-28.						
Claim(s) withdrawn from consideration: 1-10,29 and	<u>d 30</u> .					
8. The proposed drawing correction filed on is	a) ☐ approved or b) ☐ disapp	roved by the Examiner.				
9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s)						
10. Other:						

Continuation of 5. does NOT place the application in condition for allowance because: Applicant's amendment, filed 8/10/01, have been fully considered but not found convincing for the same reasons set forth in Paper No. 8. Applicant argues that the Steigerwaldt reference teaches intradermal injection of the bee venom but does not teach the mode of administration of the bee venom and the anesthetic simultaneously or consecutively. However, the base claim recites a method of administering bee venom and anesthetic to a patient simultaneously or consecutively. Given that the mode of administration if not simultaneously, the alternative must be consecutively and vice versa. Steigerwaldt et al, of record, teach intradermal injection of bee venom with a local anesthetic such as procaine (see page 1047, first column, in particular). Since the injection of anethetic is with the bee venom, the mode of administration is simultaneously.

CHRISTINA Y. CHAN
SUPERVISORY PATENT EXAMINER

GROUP 1800 /6 60